Previous references.
Ch 273-09-142

1910-11
(Courts)

File No. 50-10
Serial Nos. 142

Later references.
Ch 83-10-142
Jr 242-15(1-2)
~~Ch~~ Ch 40-19(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 142

Part B. for September 1910

SUBJECT.

Statistical ~~returns~~ registers for the civil courts

Table of contents

1. From the Registrar chief court of Mysore No. 750/42 & 8-8-1910.
Forwards for sanction a draft rule of Practice revising the register of miscellaneous cases and the register of application for execution of decrees and renumbering the existing registers from I to VII
2. To the Registrar chief court of Mysore No. J 776 & 8-9-10
Approves of the draft Rule of Practice.

G.R.S. 11] 190-11

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Cts File No. 50-10.

FILE HEADING.

Statistical registers for the Civil Courts.

From

The Registrar of the Chief Court of Mysore.

No. 750/42 Dated 8.8.10. Received 11.8.10.

Diary No. 9433 | Enclos. 3 | Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for sanction a draft Rule of Practice, revising the register of miscellaneous cases and the register of applications for execution of decrees, and renumbering the existing registers ~~for~~ from I to VI.

NOTES AND ORDERS.

Submitted for orders.

with a copy of the Civil Digest

Hes SN 16.8.10

Hon'ble J.

3) (1) The proposals may be approved.

3) (2) The miscellaneous Register has been simplified while some ~~matte~~ particulars

NOTES—First sheet

GPB—30,000—3-4-07.

Serial No.

that are now Enlisted in the Execution Register are proposed to be transferred to the new Register Contd of "Execution applications disposed of".

4) The merit of the new forms is that the preparation of the quarterly and annual statistical Statements will be facilitated.

25/8/10 SH

2nd ✓ May be approved—

26/8/10

7593
27.8.10

Approved SH 27/8/10

29 aug

31/8

B Rec 16-9-10

C&S 31/8
Draft Submd.
HCJ 31-8-10
SH 1-9-10

87/8/10

Issue SH
2/9/10

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

Cto File No. 50 of 190-11

Serial No.	
2	To the Registrar, Chief Court No J 776 & 8 & 9-10. Approves of the Draft Rule of Practice

NOTE—Contn. sheet

GPB—55,000—27-4-09

No. 750/42 Encl: 3

Bangalore, 8th/10th August 1910.

Sam,

The Registrar of the
Chief Court of Mysore,

To,

The Offg: Secretary to Govt:,
Genl and Rev: departments.

Sir,

In continuation of this office letter no: 504/1/313 dated the 28th June I am directed to submit the accompanying Rule of Practice for the Sanction of the Government.

2. Practically the only new matter contained in the Rule is the revision of the forms of the Register of Miscellaneous cases and the Register of applications for execution of decrees. The latter register at present contains much matter which with[illegible]

a

a place in the corresponding Statistical register.

3. As soon as the Sanction of Government is received to the present proposals, a Rule of Practice revising the quarterly Statements will be Submitted for Sanction.

I have the honor to be,
Sir,
Your most obedient Servant,

(Signed)
Registrar

Rule of Practice No: of.

1. In connection with the introduction of Statistic Registers, Civil Registers nos: I to VII have been renumbered and in part revised. The following is a list of the registers to be maintained.

Registers.

No: I. Register of regular Suits.
No: I. A. Register of regular Suits disposed of.
No: II. Register of Small Cause Suits.
No: II A. Register of Small Cause Suits disposed of
No: III. Register of miscellaneous Cases.
No: III. A. Register of miscellaneous cases disposed of
No IV. Register of regular appeals.
No: IV A. Register of regular appeals disposed of.
No: V. Register of miscellaneous appeals.
No: V A. Register of miscellaneous appeals disposed of.
No: VI. Register of Execution applications
No: VI A. Register of Execution applications disposed of.
No: VII. Register of insolvency applications.
No VII A. Register of insolvency applications disposed of.

The

The registers from no VIII onwards have not been altered.

2. The forms of Register no: III (Register of Miscellaneous cases) and of Register no: VI (Register of applications for execution of decrees) have been revised The forms of these registers as now prescribed are appended to this Rule.

3. The forms of Register no: VII (Register of Insolvency applications) and of Register no VII A (Register of Insolvency applications disposed of) will be prescribed as soon as the Mysore Insolvency Regulation is enacted.

4. Instructions in regard to the keeping up of certain of the above registers are appended:—

Register of regular Suits

As

10 As the column for 'particulars' and 'claim' furnish the material from which annual statements nos. 7 and 8 are compiled, it is very important that the entries in this column shall be absolutely correct. In every case after entering the particulars the number of the appropriate column in annual statement no: 7 will be noted, and where the value of any suit cannot be estimated in money the figure '10' (annual statement no 8) will be entered against 'claim.'

Every step in the case which has any legal significance and every proceeding connected with the subject matter of the decree and with its execution is to be recorded. Reference is to be made to the Register

whenever

whenever any execution or miscellaneous application is presented in connection with a suit or decree. Any attachment or injunction referring to the subject-matter of the suit whether before or after decree is to be entered in this register as also any order for refund of stamps, etc., which will affect the amount of costs recoverable by the decree-holder.

Register of Small Cause Suits

The instructions regarding the maintenance of the register of regular Suits apply mutatis mutandis to this register also.

Register of Miscellaneous Cases.

The following list (which is to be strictly adhered to) shows what cases are to be registered as

Miscellaneous

miscellaneous cases.

Cases under the Code of Civil Procedure.

(1.) Orders rejecting or returning plaints or memorandum of appeal.

(2.) Applications under Sections 22 and 25 to an appellate court to transfer a suit pending in a subordinate court.

(3.) Applications under Sections 99, 103, 108, 371, 381, 558 and 560 for the restoration to the file of a suit or appeal dismissed in default or decreed ex parte.

(4.) Miscellaneous Criminal proceedings under Sections 170 and 174.

(5.) Cases under Section 244, ie, all applications other than applications for the execution of a decree, which arise between the parties and

which

which relate to the execution, discharge or satisfaction of the decree.

(6.) Inquiries under Section 258 on the application of judgment-debtors as to payments or adjustments alleged to have been made.

(7.) Claims to, and objections to, the attachment of property under Section 278 and claims to property attached before judgment under Section 487.

Note:- Applications under Sections 311 and 313 to set aside a sale in execution of a decree are to be treated as part of the execution case and not entered as separate miscellaneous cases.

(8.) Complaints by decree-holders or purchasers under Sections 328 and 334 of resistance to possession

except

except when, in case of obstruction by a claimant in good faith, the case is under Section 331 to be registered as a suit.

(9.) Applications under Section 332.

(10.) Inquiries under Section 335.

(11.) Applications under Section 344 to be declared insolvent.

(12) Commissions under Section 386 for the examination of witnesses received from other courts and executed by the Court.

(13.) Applications under Sections 401 and 592 for permission to sue or appeal as a pauper.

(14.) Applications under Section 623 for review of Judgment.

(15.) Applications for a reference to the Chief Court under Section 617 B.

Cases

Cases under other Acts.

(16.) Applications for probate and Letters of Administration under the Indian Succession Act 1865, except contested cases which must be transferred to the head of suits.

(17.) Cases under Section 14 of the Mysore Legal Practitioners' Regulation 1884.

(18.) Applications for certificates under the Succession Certificate Regulation 1901.

(19.) Applications under the Rules regarding the custody and guardianship of minors, idiots and other disqualified persons in the Province of Mysore.

20.) Miscellaneous Criminal cases under Sections 195, 476, 478 and 480 of the

Code

Code of Criminal Procedure.

(21.) Applications under the Mysore Companies Regulation 1895.

Register of Regular appeals.

Appeals from orders having the force of a decree, e.g., orders rejecting plaints or determining any question referred to in Section 244 but not specified in Section 588 of the Code of Civil Procedure are to be entered in this register, not in the register of miscellaneous appeals.

Register no: III.

Register of miscellaneous leases.

Serial number	Date of application	Name and residence of applicant.	Name and residence of opposite party.	Particulars of application	Act and Section of Act under which proceeded	Final order with date.	Particulars of any order made on appeal or revision
1	2	3	4	5	6	7	8.

Register no. 44.

Register of applications for execution of decrees.

Serial number	Date of application	Number of suit with year	Name of decree-holder	Name of judgment-debtor	Date and nature of decree.	Number and date of last preceding application (if any)	Amount of decree still unsatisfied.	The mode in which the assistance of the Court is sought	Final order with date	Remarks.
1	2	3	4	5	6	7	8	9	10	11.
							C.J. 5/6			

G.R.S. 28.]

3-9-10

Diary No. of letter replied to 1633.

GENERAL AND REVENUE SECRETARIAT.
(Cts)

, the 19

Date of issue 8-9-10.

Signed by Mr Shivajamaiya

Cts **File No.** 50-10
Serial No. 2

Proceedings of the Government of His Highness the Maharaja of Mysore.

READ—

Govt order No J 291—Cts 273-09-2 dated the 29th July 1910, approving of a draft Rule of Practice, prescribing certain Statistical Registers to be maintained in the Civil Courts.

~~ORDER THEREON.—No.~~

(2) Letter No 750/42 dated the 8th August 1910, from the Registrar of the Chief Court of Mysore, forwarding for approval, a draft

over

SUBJECT.

GPB—5,000—7-5-09

Rule of Practice, revising the forms of the Register of Miscellaneous cases, and the Register of applications for execution of decrees, renumbering the registers, and laying down further instructions, regarding the ~~keeping~~ maintenance of some of the registers.

Order thereon No:- 3446/ell 50-10-2 & 8/9/10

The draft Rule of Practice received with the Registrar's letter, read above is approved

For Secy to Govt.

To

The Registrar of the Chief Court of Mysore.

DFO
Accs
31.8.10

SW
1.9.10